

Docket No.: 4422-004

PATENT

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10/17/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of

B. Y. SONG et al.

Serial No. 09/256,075

: Group Art Unit: 2685

Filed: February 24, 1999

: Examiner: N. Mehrpour

For: CHANNEL ASSIGNMENT METHOD FOR MULTI-FA CDMA CELLULAR SYSTEMS

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

By Official Action mailed July 16, 2002 restriction to one of the following inventions is required under 35 USC 121:

- I. Claims 1-2, drawn to a method of channel assignment when received power at base station is measured.
- II. Claims 3-4, drawn to a method of channel assignment base on cell loading.
- III. Claims 5-8, drawn to method of channel assignment when variance and standard deviation of received power are measured.

In response, Applicants hereby elect Group I upon which claims 1-2 are readable.

Serial No. 09/256,075

The foregoing election is made with traverse for the reason that the Office has not demonstrated how the inventions are patentably distinct from each other, the comments made by the Examiner in paragraph 2 on page 2 of the Official Action notwithstanding.

In any event, early examination of claims 1-2 on the merits is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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